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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,664	12/08/2003	Friedrich W. Beichter	POU920020103US1	4754
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HESLIN ROTHENBERG FARLEY & MESITI P.C. 5 COLUMBIA CIRCLE ALBANY, NY 12203			EXAMINER JAIN, RAJ K	
			ART UNIT 2472	PAPER NUMBER
			MAIL DATE 01/14/2010	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/730,664	Applicant(s) BEICHTER ET AL.	
	Examiner RAJ JAIN	Art Unit 2472	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-10,12-15 and 31-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-10,12-15,31,33,34 and 36 is/are rejected.
- 7) ☒ Claim(s) 32,35 and 37 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 36 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 36 recites a computer program product comprising of a “computer readable storage medium”, however the specification is silent with respect to “readable storage medium”. Appropriate correction is required.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 34 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 34 recites a computer system which comprises of memory and a processor, however, than it goes on to state a “method” comprising, it is not clear whether the claim is a system claim or a method claim? Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

Art Unit: 2472

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,3-10,12-15,31,33,34 and 36 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Siamak et al (EP 0,969,371 A1) in view of Nucci et al (USP 7,394,760 B1).

Regarding claim(s) 1, 34 and 36, Siamak discloses a method of facilitating configuring of resources of a communications environment (abstract), said method comprising:

automatically mapping a first identifier of a resource of a machine being configured to a second identifier of the resource to assign a physical path of the resource to a logical path of the resource (para 6 lines 8-13, para 14 table 202 maps devices by physical pathnames to logical pathnames), wherein the first identifier is usable by hardware (Figs 1 & 2, computer system 100 with hardware disk drivers 204 identify the particular resource) to identify the resource and the second identifier is usable by a program of the machine to identify the resource (application 201 is a the computer program that is identified as the resource with which the computer system 100 transfers and received data as appropriate).

Siamak fails to disclose mapping of the machine to avoid a single point of failure.

Nucci discloses mapping of the machine to avoid a single point of failure (col 1 lines 49-55; col 3 lines 45-60; and further discloses mapping of physical identifiers to logical identifiers (abstract; col 2 lines 6-45). Nucci provides a method for configuring multiple resources in a system (Figs. 1-3). A computer system of plurality of elements are provided that are capable of configuring resources in the system, wherein each element has configuration parameters to use to configure the components and also provide a fault tolerance computing system by avoiding single points of failure. Thus it would have been obvious at the time the invention was made to incorporate the teachings of Nucci within Siamak so as to allow for multiple paths of configurations as appropriate without delay and therefore avoiding points of failure within a system.

Regarding claim 3, Siamak discloses wherein the communications adapter comprises a channel, the first identifier comprises a physical channel identifier (PCHID) and the second identifier comprises a logical channel path identifier (CHPID) (Fig. 3).

Regarding claim 4, Siamak discloses wherein the communications adapter is of an input/output subsystem of the communications environment, the input/output subsystem being configured as a plurality of input/output images (Fig. 1, cable 106 provides the input/output environment).

Regarding claims 5, 6, and 7, Siamak discloses automatically selecting the first identifier to be mapped to the second identifier from a plurality of first identifiers, wherein the selecting takes into consideration a definition associated with the second identifier (Fig. 3B, plurality of identifiers 306, 308, 310, 312, 314 to be mapped with 305, para 21).

Regarding claim 8 Siamak discloses the physical description of resource as first identifier (see Fig.3b, serial number identifies a storage device).

Regarding claim 9 Siamak discloses proper mapping of devices and a report generated as appropriate (col 6 lines 20-23).

Regarding claim 10 Siamak discloses providing as another input to the automatically mapping a logical definition of the resource, said logical definition comprising the second identifier (Figs. 3A, 3B, logical path 305 defines a second identifier with a particular serial number of the first identifier to be associated with).

Regarding claims 12 and 13 Siamak discloses mapping utilizing software and hardware components as appropriate (Figs 1-3, paras 9, 10 and 12).

Regarding claims 14 and 15 Siamak discloses performing one or more selective validations on data input to the automatically mapping and the changed configuration environment (para 30, fig. 8, step 804 verifies if correct device is loaded from the mapping table 202, as a new configuration is now loaded).

Regarding claim(s) 31, Siamak discloses new configuration machine (Figs 1-2; col 1 line 60 – col 2 line 20, new machine is same as new device.)

Regarding claim 33, Siamak discloses wherein the resource comprises a channel (Fig. 3A), and wherein the mapping is further based on the type of channel (Fig. 3B, type of channel is similar to different physical paths 310, 312, 314).

Allowable Subject Matter

Claims 32, 35 and 37 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RAJ JAIN whose telephone number is (571)272-3145. The examiner can normally be reached on M-TH.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Raj K. Jain/

Examiner, Art Unit 2472